

claims 1 and 6 have been amended, claim 7 has been canceled and new claims 17 and 18 have been added. Reconsideration and allowance in view of the amendments and the following remarks are respectfully requested.

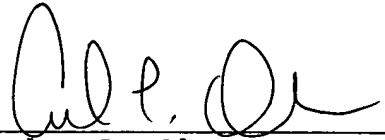
Claims 1-11 are rejected under 35 U.S.C. §102(b) as being anticipated by Deal (US 5,857,275). Claims 1-11 are rejected under 35 U.S.C. §102(b) as being anticipated by Evans (US 5,358,770). Applicant respectfully asserts that the references, taken alone or in combination, fail to teach or suggest each and every feature of the claimed invention as required under §102(b).

Applicant asserts that both Evans and Deal fail to teach or suggest, *inter alia*, a label having a raised portion, or three-dimensional design, extending away from a surface of the container having a vacancy between the label and the surface of the container, as recited in claims 1 and 6. In contrast, Evans teaches a device 10 wherein the entire member 14 is in contact with the surface of the object 12. The label 18 of Deal teaches a raised portion 24 having a bead or cord 22 between the raised portion 24 and the surface of the bottle 10. In both Evans and Deal there are no vacancies between raised, or three-dimensional, portions of the labels and the surface of the container as required by the present invention.

Accordingly, Applicant respectfully requests withdrawal of all rejections, and submits that the entire application is in

condition for allowance. However, should the Examiner believe anything further is necessary in order to place the application in better condition for allowance, or if the Examiner believes that a telephone interview would be advantageous to resolve the issues presented, the Examiner is invited to contact the Applicant's undersigned representative at the telephone number listed below.

Respectfully submitted,


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Date: 9-26, 2002

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APPENDIX

Please amend the claims as follows:

1. (Amended) A three-dimensional label for a container, comprising:

a raised portion extending away from a surface of the container having a vacancy between the label and the surface of the container; and

an adhesive material on a surface of the label attaching the label to the surface of the container.

6. (Amended) A container having a label affixed to a surface of the container, wherein the label includes a three-dimensional design, having a vacancy formed between the three-dimensional design of the label and the surface of the container.

Please add the following new claims:

17. (New) A three-dimensional label for a container, comprising:

a raised ornamental portion extending away from a surface of the container; and

a portion substantially flush with the surface of the container.

18. (New) A three-dimensional label for a container, comprising:

a portion substantially flush with a surface of the